

REMARKS

Claims 1-5 remain in the present reissue application.

In the above-identified communication, the Examiner asserted that Assent Of Assignee To Reissue dated December 8, 2003, was defective because the statement "Sony Corporation ... acting through its undersigned officer ..." is not sufficient to positively reflect that the person executing the Assent actually has the authority to act on behalf of the assignee. The Examiner indicated that the title of the person executing the Assent Of Assignee To Reissue did not satisfy the requirements of M.P.E.P. § 324 as a person recognized to act on behalf of an assignee.

However, M.P.E.P. § 324 recites:

The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. The submission under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following manner if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.):

(A) The submission may be signed by a person in the organization having apparent authority to sign on behalf of the organization. ... In foreign countries, a person who holds the title "Manager" or "Director" is normally an officer that is presumed to have the authority to sign on behalf of the organization. ...

(Emphasis added.)

The Assent Of Assignee To Reissue submitted with the present reissue application is signed by a "Manager" of the "Intellectual Property Division" of Sony Corporation, a Japanese corporation. Applicant submits that the Assent Of Assignee To Reissue was executed by a person correctly presumed to have the authority to sign on behalf of Sony Corporation, and the Assent Of Assignee To Reissue is therefore not defective.

The communication also requests that a form PTO 1449 listing all the references cited on the front page of U.S. Patent No. 6,510,128 is required. An Information Disclosure


Statement listing these references was submitted on October 29, 2007.

As it is believed that all of the issues set forth in the communication have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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